

From: Jeff Cosby
To: Melanie Barker
Subject: Fwd: F&B v. Daybreak
Date: Thursday, April 17, 2025 7:49:26 AM

Jeffrey C. Cosby
Florida Bar Board Certified in Civil Trial Law

Williams, Leininger & Cosby, P.A.
301 SE Ocean Blvd.
Suite 205
Stuart, FL 34994
(Ofc) 772.463.8402
(Fax) 772.463.4820

and

11300 US Highway One
Suite 300
North Palm Beach, FL 33408
(Ofc) 561.615.5666
(Fax) 561.615.9606

Important – Williams, Leininger & Cosby, P.A. utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via telephone.

CONFIDENTIALITY NOTICE: This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without our prior permission. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, or if you have received this communication in error, please notify us immediately by return email and delete the original message and any copies of it from your computer system. For further information about Williams, Leininger & Cosby, PA, please visit our website at <http://www.wlclaw.com>

Begin forwarded message:

From: Tom Friedberg <tom@lawofficefb.com>
Date: April 16, 2025 at 9:41:47 PM EDT

Exhibit "B"

To: Jeff Cosby <Jcosby@wlclaw.com>
Cc: Mellisa McDaniel <Mellisa@wlclaw.com>, molly@lawofficefb.com, Sarah Bunge Esq <slb@lawofficefb.com>
Subject: Re: F&B v. Daybreak

Good evening. As I already advised you, after I spoke with you regarding the potential date, I was advised by Sarah that we already have meetings booked Tuesday through Friday next week. These meetings are in different cities and Sarah has planned these meetings for the last month. Unfortunately I was not aware of all the various meetings.

Regarding your plane ticket, as you should be aware, you can change a ticket within 24 hours of booking it without penalty. It therefore should not be a problem to change your ticket.

I was planning on returning to California on Saturday, but I'm willing to change my flight to return on Sunday so that we can do the deposition on Saturday morning. Well, this may not be ideal, this is what happens when depositions are requested at the last minute.

I'm on a flight tomorrow to Houston and will not be available until later in the afternoon. You can send me an email regarding whether you're available on Saturday for Chris' deposition. If not, I'm not sure what we can do since your suggestion that the deposition will be "short" and we can work around our meetings is not feasible since as we gene have to drive approximately 90 minutes each each way for these meetings.

Let me know how you want to proceed since the 24th is not an option. Thanks,
Tom.

Tom Friedberg
Tom@lawofficefb.com

Sent from my iPhone

On Apr 16, 2025, at 5:55 PM, Jeff Cosby <Jcosby@wlclaw.com> wrote:

I already booked my flights for the April 24 deposition per you telling us that date was OK. That will not be a particularly long deposition so I would request that you somehow have a break from your meetings to attend the deposition by Zoom or some other way.

Doesn't matter when it was requested, we relied on you when you gave us that date to set it. We did list it in our initial pleadings that indicated what depositions we intended to take.

Jeffrey C. Cosby
Florida Bar Board Certified in Civil Trial Law

Williams, Leininger & Cosby, P.A.
301 SE Ocean Blvd.
Suite 205
Stuart, FL 34994
(Ofc) 772.463.8402
(Fax) 772.463.4820

and

11300 US Highway One
Suite 300
North Palm Beach, FL 33408
(Ofc) 561.615.5666
(Fax) 561.615.9606

Important – Williams, Leininger & Cosby, P.A. utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via telephone.

CONFIDENTIALITY NOTICE: This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without our prior permission. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, or if you have received this communication in error, please notify us immediately by return email and delete the original message and any copies of it from your computer system. For further information about Williams, Leininger & Cosby, PA, please visit our website at <http://www.wlclaw.com>

On Apr 16, 2025, at 6:16 PM, tom@lawofficefb.com wrote:

Good afternoon – Sarah just advised me that we have meetings already set for April 22 to 25. We can extend our trip by one day so Chris can be deposed on Saturday April 26, 2025. While this may not be ideal, the request for his deposition was made for the first time yesterday. I did not see any e-mails requesting his deposition previously. The meetings we have set preclude being able to defend a deposition on April 24. Let me know if you want to go forward on April 26, 2025. Thanks Tom

Thomas F. Friedberg, Esq.
LAW OFFICES OF FRIEDBERG & BUNGE
1005 Rosecrans Street, Suite 202
P.O. Box 6814
San Diego, California 92166-0814
Telephone : (619)557-0101
Facsimile : (619)557-0560
tom@lawofficefb.com

VIRGIN ISLANDS OFFICE:

LAW OFFICES OF FRIEDBERG & BUNGE
The Marketplace, Office Suites II, Suites 101 C&D
5000 Estate Enighed, PMB 158
St. John, USVI 00830
Telephone: (340) 693-0331
Facsimile : (340) 693-0332